

## Responses to Requests for Clarifications Nr. 3

**Country:** *Sint Maarten*

**Name of Project:** *Emergency Recovery Project I*

**Contract Title:** *Single Family Homes Repairs #2 – Lot 1, Lot 2 and Lot 3.*

**Loan No. /Credit No. / Grant No.:** *TF0A8079*

**RFB No:** *AN-IRC-NRPB-76496-CW-RFB / Repairs 2*

In connection with the above RFB, the following responses are communicated to Bidders:

	<b>Question / Comment Received<sup>1</sup></b>	<b>NRPB Response / Reaction</b>
May 20	<p><b>Electrical works:</b></p> <p>Lot 1: Supply all wiring (as per GEBE specifications) for surface mounted duplex 110V outlets, In the procurement side of the Bill of Quantities is written 6,667 m1 of wiring although at the Labor side of the Bill of Quantities only the quantity of 10 houses is given. This means approx 666.70 m1 per house need to be installed which seems not correct. Which amount need to be corrected?</p> <p>Lot 2: Supply all wiring (as per GEBE specifications) for surface mounted duplex 110V outlets, In the procurement side of the Bill of Quantities is written 13,333 m1 of wiring although at the Labor side of the Bill of Quantities only the quantity of 20 houses is given. This means approx 666.70</p>	<p>This has already been dealt with in the “Responses to Requests for Clarifications Nr. 2”. However, we decided to change our position and to reduce the wiring to 50% of the original lenght per house. These changes have already been introduced in the BOQ that is part of the RFB Amendment Nr. 3</p>

<sup>1</sup> Messages received from potential Bidders are presented below, broken down into the different issues dealt with by the Bidders.

	<p>m1 per house need to be installed which seems not correct. Which amount need to be corrected?</p> <p>Lot 3: Supply all wiring (as per GEBE specifications) for surface mounted duplex 110V outlets, In the procurement side of the Bill of Quantities is written 20,000 m1 of wiring although at the Labor side of the Bill of Quantities only the quantity of 30 houses is given. This means approx 666.70 m1 per house need to be installed which seems not correct. Which amount need to be corrected?</p>	
May 27	<p>In the Bill of Quantities the following is mentioned as last point:</p> <ul style="list-style-type: none"> <li>○ Rain water drainage (if applicable) make good and restore to original function</li> </ul> <p>There can be various methods / ways to restore a rain water drainage. To make a reliable price for this item we need much more information.</p> <p>Is it an idea that an allowance is introduced for this item equal for all parties who are pricing for this project? What do you think?</p>	<p>Understood. The RFB will be amended in order to eliminate the item from the BOQ. Whatever might be needed as rain water drainage is concerned will be paid using the Daywork Schedule.</p>
June 10	<p>In the "Request for Bids" it is specified that the project volume will be between 200 or 250 units.</p> <p>The Bill of Quantities is based on a total of 200 units divided into 3 lots: lot 1 – 67 units or lot 2 – 133 units or lot 3 – 200 units.</p> <p>In this morning information meeting it was mentioned that</p>	<p>Correct as per the original RFB. However, we issued a RFB amendment to reduce the scope of the works from the original three (3) lots, totaling in aggregate 200-250 houses, to two (2) lots, totaling in aggregate 100-120 houses.</p> <p>Incorrect. It was not "lot 1", "lot 2" and "lot 3" but "one (1) lot". "two (2) lots" and "three (3) lots" respectively. This has been discussed in the Responses to Requests for Clarifications Nr. 1.</p> <p>That must have been a misunderstanding.</p>

the total project volume contains maximum 400 units. This is an considerable expansion of the project for which 15 months are planned by the Bureau.

At first we have to look at the 15 months mentioned at page 1 and the 450 days mentioned at page 183. 15 months x approx 30 days = 450 days is that mend with the 450 days? These 450 days have the following net workable working days:

Per Year:

amount of weekend days:  $52 \times 2 = 104$   
 Official holidays = 12  
 Christmas – New Year holiday vacation period = 7  
 =====  
 = 123

365 days per year -/- 123 days = 242  
 10 unworkable work days – rain etc. = 10 -/-  
 =====

Workable working days per year 232  
 Approx 46 workable working weeks per calendar year

From the remaining days  $450 - 365 = 85$  days = 2.8 month is workable:

amount of weekend days:  $12 \times 2 = 24$   
 Official holidays average 1 per month = 3  
 =====  
 27

$450 - 365 = 85$  days -/- 27 days = 58  
 1 unworkable work days per month = 3 -/-  
 =====

Workable working days per year 55  
 Approx 11 workable working weeks for the remaining 3 months

Please see Responses to Requests for Clarifications Nr. 1 for a more elaborated discussion on the construction term. Also, please note that the scope of the works has been reduced.

In total available workable working days in which the project must be scheduled are  $46+11 = 57$  workable working weeks

A Lot has to be executed within the mentioned 450 days on page 183. The Bill of quantities is based on 67 or 133 or maximum 200 units

To realize 67 units of which is not known exactly the volume of work one can be sure that 67 units divided by the 57 workable working days 1.17 week will not be the construction time per unit. Since a penalty is in place Logistics will play a large part in this project. Starting with 1 unit following up the second and so on will not be the case. One must look at 4 to 6 units that need to start simultaneously at LOT 1 with 67 units (LOT 2 - 8 to 12 and LOT 3 – 12 to 18 units) to finalize the project within the 57 workable working weeks.

The Bill of Quantities is laid out on 67 or 133 or maximum 200 units.

It can be concluded that the amount of units were the bidding is based on is for Lot 1 – 67 units, Lot 2 – 133 and Lot 3 – 200 units which will be the full project volume.

Simply saying the total amount of units is 250 which is an increase of 25% in the same available construction time which means 25% more personnel input in all layers of the organization or even worse the total amount of units is 400 as mentioned in this morning meeting is not realistic.

For the sake of comparability all parties should work with Lot 1 – 67 units or Lot 2 – 133 units or lot 3 – 200 units, as per Bill of Quantities, to be realized in the 15 calendar months as set by the Bureau. All other possibilities and or

	<p>deviations to be discussed separately (extension of the contract for example).</p> <p>It is utmost important to clarify this shortly because starting with a preprogrammed default situation and a considerable gap in once calculation is something we rather not like to do.</p>	
June 10	<p>Fraud and Corruption: item 3.2 is only related to this project, information concerning this project can or will be subject to inspection and or audit?</p>	<p>We could not find the reference to “item 3.2”. However, we’d like to draw your attention to GCC 22.3 (copied below), which refers to “<b>accounts and records relating to the procurement process, selection and/or contract execution</b>” when discussing the Bank right to inspect the accounts.</p> <p>GCC 22.3: “Pursuant to paragraph 2.2 e. of Appendix B to the General Conditions, the Contractor shall permit and shall cause its subcontractors and subconsultants to permit, the Bank and/or persons appointed by the Bank to inspect the Site and/or the <b>accounts and records relating to the procurement process, selection and/or contract execution</b>, and to have such accounts and records audited by auditors appointed by the Bank if requested by the Bank. The Contractor’s and its Subcontractors’ and subconsultants’ attention is drawn to Sub-Clause 25.1 (Fraud and Corruption) which provides, inter alia, that acts intended to materially impede the exercise of the Bank’s inspection and audit rights constitute a prohibited practice subject to contract termination (as well as to a determination of ineligibility pursuant to the Bank’s prevailing sanctions procedures).”</p>
June 10	<p>Page 12 item 7.3: For who’s dead and or personal injuries etc. is the bidder responsible</p>	<p>ITB 7.3 refers to the site visit, which has already taken place. In this context, Bidders are responsible death or personal injuries of their own personnel or agents.</p>

	<p>7.3 The Bidder and any of its personnel or agents will be granted permission by the <i>Employer</i> to enter upon its premises and lands for the purpose of such visit, but only upon the express condition that the Bidder, its personnel, and agents will release and indemnify the <i>Employer</i> and its personnel and agents from and against all liability in respect thereof, and will be responsible for death or personal injury, loss of or damage to property, and any other loss, damage, costs, and expenses incurred as a result of the inspection.</p>	
June 10	<p>Page 73 – 1 With daywork is meant a tariff for Labor per day for work that is not defined in the Bill of Quantities?</p> <p>Page 74 – 4 Daywork materials are those materials which are not specified in the Bill of Quantities?</p>	<p>Exactly! Prices for items in the BOQ shall include all inputs needed to complete a unit of work as specified (even if the necessary inputs are not specifically mentioned), without resorting on Daywork. Daywork schedule will be used only for activities that are not included in the BOQ and that might be needed as a result of the Assessments and after the approval of the Project Manager.</p>
June 10	<p>Page 73 – 2 The daywork rate is based on an 8 hour work day?</p>	<p>Yes, in the case of labor, as anticipated in the “Responses to Requests for Clarifications Nr. 2”.</p>
June 10	<p>Page 73 – 3a Including overtime in a daywork rate is not possible since the overtime if any is not known. Overtime is based on the by Labor law stipulated:</p> <p>Any hour after an 8 hour workday 50% added to the hour rate  Any hour worked on Saturdays 50% added to the hour rate  Any hour worked on Sundays 100% added to the hour rate  Official Holidays worked on those days 100% added to the hour rate</p> <p>The overtime needs to be registered separately and charged separately to the Principal if applicable</p>	<p>Understood. We have used standard World Bank language, which assumes that the total amount assigned to Daywork would be 3–5 percent of the estimated base Contract Price. Given that the incidence of Daywork may be much higher in this case, we will amend the RFB as you suggested.</p> <p>Please note that overtime won’t apply to labor of items of the BOQ. For these, Bidders will have to estimate the incidence of overtime (if any) needed to deliver according to required schedules.</p>

June 10	Page 108-117 -- Various specific company core information: how confidential will this be handled?	<p>Confidentiality is ruled by 3.7 of the World Bank Procurement Regulations and by ITB 26.1. Both are copied below, for your reference:</p> <p><b>Roles and Responsibilities of the Borrower</b></p> <p>3.7 The Borrower's roles and responsibilities with respect to Complaints covered by this Annex include the following:</p> <ul style="list-style-type: none"> <li>a. Provide timely and sufficient information to Bidders/Proposers/Consultants, including through the Notification of Intention to Award and debriefing, so that Bidders/Proposers/Consultants can both understand the basis for the Borrower's decision and make an informed decision on whether to lodge a Complaint challenging that decision;</li> <li>b. Promptly acknowledge Complaints received;</li> <li>c. Resolve Complaints promptly and fairly;</li> <li>d. Preserve the confidentiality and proprietary information of other Applicants/Bidders/Proposers/Consultants, including commercial and financial information and trade secrets as requested by the Bidders/Proposers/Consultants in their Bids/Proposals;</li> <li>e. Maintain complete records of all debriefings and Complaints and their resolution;</li> <li>f. For contracts subject to prior review, inform the Bank promptly of any Complaint submitted and provide the Bank a copy of all relevant documents and information; and</li> <li>g. For contracts subject to prior review, consult with the Bank promptly and forthrightly throughout the Complaint review and resolution process.</li> </ul> <p>ITB 26.1: "Information relating to the evaluation of Bids and recommendation of contract award, shall not be disclosed to Bidders or any other persons not officially concerned with the Bidding process until information on Intention to Award the Contract is transmitted to all Bidders in accordance with ITB 43."</p>
June 10	Page 134 -- houses will be vacant at the start of the works, including all personal belongings?	Please refer to Specifications, 4. - <b>SCOPE OF WORKS, Demolitions, last paragraph, which indicates:</b> "The homeowners are to clear the area of the works of all fixtures, fittings and personal belongings before the Contractor is given possession of the site."

June 10	<p>Page 135 -- what / where is an approved dump site?</p> <p>Page 146 Government indicated dumpsites. Are these located on the Pondfill?</p>	Dumpsites are located on the Pondfill
June 10	Contractor need to remove fittings and fixtures? To what extent, is not mentioned in the Bill of Quantities!	In order to execute the work per house, the contractor needs to remove only the related fittings and fixtures needed to execute said works, which will be re-installed after the work
June 10	<p>Disconnection and reconnection GEBE connections at all units for the account of the contractor?</p> <p>6 and D. The new electrical meter box and the electrical installation etc. shall be approved by GEBE, the contractor need to payed GEBE.</p>	Necessary fees which will be paid to GEBE, and will be afterwards reimbursed using the "Provisional Sum for Labor not listed above", which is part of the Daywork Schedule.
June 10	Page 139 -- to withstand hurricane-force winds exceeding category 5 on the Saffir-Simpson Hurricane Scale. Is that 157 mph?	Yes. Minimum 157 mph.
June 10	Page 146 Mold removal is a type of work need to be done by expert companies. Quotations will be requested by NRPB direct when needed?	Understood. The RFB will be amended in order to eliminate the item from the BOQ. Whatever might be needed as mold removal is concerned will be paid using the Daywork Schedule.
June 26	<p>In amendment 2, see attachment, the scope of work has been adjusted. The following amount per unit are now applicable:</p> <ul style="list-style-type: none"> <li>○ One lot            40 units            (was 67)</li> <li>○ Two lots            80 units            (was 133)</li> <li>○ Three lots        120 units           (was 200)</li> <li>○ Construction time 12 months (was 15 months)</li> </ul>	<p>Incorrect. Amendment 2 does not change the scope of the works. The scope of the works was changed in Amendment 3. What you quoted (copied below) was part of the original qualification requirements included in Criterion 4.2 (b) for all the three (3) scenarios.</p> <ul style="list-style-type: none"> <li>○ One lot            40 units</li> <li>○ Two lots            80 units</li> <li>○ Three lots        120 units</li> <li>○ Construction time 12 months</li> </ul> <p>It should be noted that some qualification requirements were</p>



		also changed in Amendment 3.
June 26	<p>When would we expect scope of works? July 8th is about a week away.</p> <p>Can you sent to all participants and or place on your website as soon as possible the adjusted Bill of Quantities. This is very important to establish the correct pricing for this project by all participants.</p> <p>Can you also indicate when we will receive the adjusted Bill of Quantities (all spreadsheets as send adjusted).</p>	<p>Amendment 3 defines the revised scope of works and has already been distributed and loaded at NRPB website.</p> <p>The revised BOQ has already been distributed (it is included in Amendment 3) and the excel file containing it will be loaded at NRBP web site asap.</p>
June 26	<p>Would we receive locations of homes in scope of works?</p>	<p>Please see RFB, Specifications, 3.-<b>HOUSE ASSESSMENTS</b>: “The list of houses that would be subject to the screening procedures will be provided to Bidders by email upon request at least 15 days prior to bid opening.” It should be noted that the list will include the addresses and also that we cannot provide the list of houses to be actually repaired, since that decision depends upon the result of the Condition Assessment.</p>
June 26	<p>When you sent the new Bill of Quantities can you then also sent the new bidding date?</p> <p>Can you also update us on a new Bidding date for this project? For example a new date 2 weeks after receiving remaining answers &amp; adjusted BoQ.</p>	<p>The revised bid opening date will be communicated asap.</p>
June 27	<p>The scope of work was approx 200 units (Bill of Quantities) to be renovated in 15 calendar months divided in 3 lots which means that approx 67 units per lot need to be renovated in 15 calendar months.</p> <p>Reducing the scope of work to approx 120 units divided in 2 lots means that 60 units per lot need to be renovated in the same 15 calendar months.</p>	<p>The original scope of the works was 200-250 houses and the third batch was to be completed in 450 days.</p> <p>The current scope of works is 100-120 houses and the third batch is to be completed in 450 days.</p>

	Is this assumption correct?	
June 28	Can you indicate when the remaining answers will be published on the website and or directly sent by email. June 24 we supposed to receive all answers on questions sent.	As per our count, there are five (5) questions still unanswered. Responses will be distributed asap.
June 28	Can you also sent us the construction time for the 50 – 100 units and 60 – 120 units as the 2 Lots are now indicated?	The construction times for one (1) lot (50 – 60 houses) and two (2) lots (100 – 120 houses) are included in Amendment 3, which has already been distributed and loaded at NRPB website.

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